

Remarks:

Claims 1-8 are currently pending in the application. The Office Action dated 13 August 2003 states that the application contains claims directed to the following patentably distinct species of the claimed invention:

Species I drawn to figures 1-6;
Species II drawn to figures 7-10; and
Species III drawn to figure 11.

The Action requires under 35 U.S.C. §121 an election of a single species for prosecution on the merits, and states that claims 7-8 appear to be generic.

Applicants provisionally elect Species I, drawn to figures 1-6, covering all the currently pending claims, for further prosecution on the merits.

Applicants respectfully assert that all claims are generic. Applicants maintain that all of the claims of the present invention are directed to the same invention and should be examined together accordingly. Claims 1 and 2 differ in their choice of mounting on a rail body, and each of the other claims 3-8 include all of the common limitations of claims 1 and 2. Thus, claims 1-8 are so closely related as to justify an examination of all of the claims as a single invention. Furthermore, a species restriction is not mandatory merely because the subject matter of the claims may read on separate drawings.¹ As the claims are so closely related, the fields required to be searched should be co-extensive. In light thereof, it is believed that an action on the merits of claims 1-8 in a single application is in order.

No petitions or fees are believed necessary or consideration of this reply/election, however, if such petitions or fees are required, such petitions are hereby requested and fees authorized to be charged to Deposit Account No. 03-2410, order 10972-P07.

Please feel free to contact the undersigned with any questions regarding this paper.

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Respectfully submitted,
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¹ Additionally, Figure 11 (restricted in the Action to Species III) is identified on page 2 of the specification as "prior art", and no claims are directed thereto